

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

FILED

08 APR 23 PM 12:31

UNITED STATES OF AMERICA,

Plaintiff,

v.

Noe ARAGON-Larios,

Defendant

Magistrate Docket No.

'08 MJ 1242

COMPLAINT FOR VIOLATION OF:

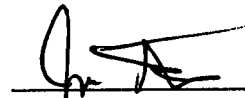
DEPUTY

Title 8, U.S.C., Section 1326  
Deported Alien Found in the  
United States

The undersigned complainant, being duly sworn, states:

On or about **April 21, 2008** within the Southern District of California, defendant, **Noe ARAGON-Larios**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

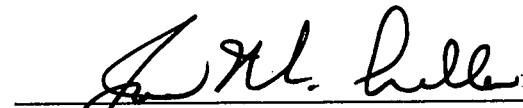
And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



SIGNATURE OF COMPLAINANT

James Trombley  
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 23th DAY OF APRIL, 2008



Jan M. Adler

UNITED STATES MAGISTRATE JUDGE

**CONTINUATION OF COMPLAINT:****Noe ARAGON-Larios****PROBABLE CAUSE STATEMENT**

On April 21, 2008, Border Patrol Agent K. Ayala was performing line watch duties in the Chula Vista Area of Operations. At approximately 2:45 p.m., agent Ayala was advised by Border Patrol Dispatch of a citizen's report of an individual located in an area commonly known as "Co-Part." This area is located approximately four miles east from the Otay Mesa California Port of Entry and approximately two miles north of the United States/Mexico international boundary.

Agent Ayala responded to the area and found four individuals hiding. Agent Ayala identified herself as a Border Patrol Agent and questioned the individuals including one later identified as the defendant **Noe ARAGAN-Larios**, as to their citizenship and nationality. All four admitted to being citizens and nationals of Mexico without any immigration documents that would allow them to be or remain in the United States legally. All four, including the defendant were arrested and transported to the Chula Vista Border Patrol Station for further processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **April 9, 2008** through **San Ysidro, California**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

The defendant was advised of his Miranda rights. The defendant stated that he understood his rights and was willing to answer questions without an attorney present. The defendant admitted that he is a citizen and national of Mexico illegally present in the United States. The defendant further admitted that he had been previously deported from the United States and has not applied or requested permission to re-enter the United States legally.